

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29530 of 2008
RAJESH KUMAR @ RAJESH SINGH, Son of Late Sewak Singh,
Resident of Village- Faridpur P.S.- Rajapakar,
District- Vaishali :----- Petitioner.
Versus
STATE OF BIHAR:-----Opposite Party

For the Petitioner :Mr. Rajesh Ranjan Kumar, Advocate.
For the Opposite Party : Mr. Nitya Nand Tiwari, A.P.P.

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3. 03.12.2008. Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Sections 420 and 406 of the Penal Code and Section 138 of the Negotiable Instruments Act as it is said that having accepted the advance he refused to execute the sale deed and later returned the amount through two cheques of Rs. 50,000/- and 35,000/- but those cheques were not honoured by the bank. It is submitted on behalf of the petitioner that he shall deposit the amount-in-question in the court within three months of his release.

Let the petitioner, namely, Rajesh Kumar @ Rajesh Singh be admitted to the privilege of provisional bail on furnishing bail bond of Rs. 5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Tr.No. 1010 of 2008, arising out of Complaint Case No. 2324 of 2002 but within three months of his release he must deposit the value of the cheques in the court below, failing which the provisional bail should be cancelled. In the event deposit is made, provisional bail granted to him be confirmed and the amount deposited be permitted to be withdrawn by the complainant on execution of bond. Withdrawal of the amount by the complainant shall be subject to the result of the trial.

P.K.P.

(V.N.Sinha,J.)